



Office Action Summary

MAR 07 2005

Application No.

10/662,378

Applicant(s)

JOHNSTON ET AL.

Examiner

Joanne Silbermann

Art Unit

3611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- Responsive to communication(s) filed on _____.
- This action is FINAL. This action is non-final.
- Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- Claim(s) _____ is/are allowed.
- Claim(s) 1-3 is/are rejected.
- Claim(s) _____ is/are objected to.
- Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- The specification is objected to by the Examiner.
- The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - All
 - Some *
 - None of:
 - Certified copies of the priority documents have been received.
 - Certified copies of the priority documents have been received in Application No. _____.
 - Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- Notice of References Cited (PTO-892)
- Notice of Draftsperson's Patent Drawing Review (PTO-948)
- Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

- Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- Notice of Informal Patent Application (PTO-152)
- Other: _____.

THIS IS MY AMENDMENT

TO U.S.P.O. Attn: **Joanne Silbermann** Art Unit 3611

Fax # 703-872-9306 02/28/05
FROM David Johnston
App # 10/662/378



To make it a little easier to notice the changes, there are 4....

1. Added fig 6 under BRIEF DESCRIPTION OF DRAWINGS
2. Added fig 6 under DESCRIPTION OF THE PREFERRED EMBODIMENT
3. Canceled claim 3 and added claim 4
4. Added a new drawing to support claim 4

Thanks for your help in this matter,
David Johnston
860-582-3842

INCLUDING THIS COVER
SHEET I FAXED 8 PAGES

Dave

I FAX THIS PAPER WORK ON 2/28/05
AND ~~ALSO~~ I AM SENDING IT UPS RED

THANK YOU
PAUL JOHNSTON

I AM SENDING IT UPS RED BECAUSE
I WAS TOLD THE FAX QUALITY WAS
BAD.